

## **REMARKS/ARGUMENTS**

The Applicant has carefully considered this application in connection with the decision of the Board of Patent Appeals and Interferences and respectfully requests reconsideration of this application in view of the foregoing amendment and the following remarks.

The Applicant originally submitted Claims 1-22 in the application. The Applicant has amended Claims 1, 9 and 16 and has canceled Claims 3, 7, 14 and 21. The Applicant has not added any claims. Accordingly, Claims 1-2, 4-6, 8-13, 15-20 and 22 are currently pending in the application.

### **I. Formal Matters and Objections**

In accordance with 37 C.F.R. § 41.50(b) and in response to the choice presented in the Decision on Appeal of the Board of Patent Appeals and Interferences decided on February 23, 2007, the Applicant has elected to reopen prosecution by submitting an appropriate amendment to the rejected claims.

The Examiner and the undersigned Applicant's representative conferred by telephonic communication on April 18, 2007. The parties agreed that the Applicant would cancel Claim 3 and either select one of claims dependent on each of independent Claims 1, 9 and 16 to include as a limitation in such claims or rewrite each of the current dependent claims in independent form. The Examiner stated that if this was done he would allow the then pending claims. The Applicant elected to include the limitations of Claim 7 in Claim 1, the limitations of Claim 14 in Claim 9 and the limitations of Claim 21 in Claim 16. The claims have been so amended.

## **II. Rejection of Claims 1, 9 and 16 under 35 U.S.C. §103**

The Board of Examiners rejected the prior version of Claims 1, 9 and 16 under 35 U.S.C. §103(a) as being unpatentable over Tengel, *et al.*, U.S. Patent No. 5,940,812 (Tengel), and General Accounting Office, Health, Education and Human Services Division, *Student Loans: Improvements in the Direct Loan Consolidation Process*, GAO/HEH-99-19R, 26p. 11/10/1998 GAO.

Although the Applicant has agreed to amend the claims as suggested by the Examiner for expediency purposes, the Applicant wishes record that the Applicant does not agree with the Board of Examiners reasoning regarding the rejection of the prior version of Claims 1, 9 and 16 under Tengel and GAO. Tengel describes a loan origination system for matching loans with a potential borrower via a telecommunications network and is directed to the gathering of information with respect to the issuance of new loans. Tengel provides no guidance or insight with respect to combining or refinancing existing loans, nor the gathering of information regarding existing student loans. GAO also does not describe a system for gathering information regarding existing student loans. In GAO the loan information has already been secured. In addition, GAO only furnishes notice to a loan applicant and a consolidator after the loans have been consolidated. Thus, it is the view of the Applicant that the version of independent Claims 1, 9 and 16 as presented to the Board of Patent Appeals and Interferences were, when considered as a whole, not obvious in view of Tengel and GAO. As noted above, the Applicant, for expediency purposes, is not requesting a reconsideration of the Board's decision and has, instead, elected to amend the claims in the manner suggested by the Examiner.

### **III. Conclusion**

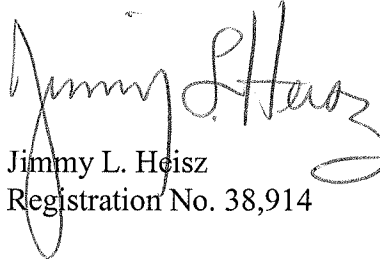
The Applicant now sees all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicits a Notice of Allowance for Claims 1-2, 4-6, 8-13, 15-20 and 22.

It is not believed that any fees are due for this communication, however, the Commissioner is hereby authorized to charge any possible fees connected with this communication to Deposit Account No. 08-2395.

The Applicant requests the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application.

Respectfully submitted,

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